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INTERNATIONAL PRELIMINARY EXAMINATION REPORT
(PCT Article 36 and Rule 70)

Applicant's or agent's file reference P16486-MAZ	**FOR FURTHER ACTION**	See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)
International application No. PCT/EP 03/02013	International filing date *(day/month/year)* 27.02.2003	Priority date *(day/month/year)* 14.03.2002

International Patent Classification (IPC) or both national classification and IPC
H04M15/00

Applicant
TELEFONAKTIEBOLAGET LM ERICSSON (publ) et al

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1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.

2. This REPORT consists of a total of 5 sheets, including this cover sheet.

    ☐ This report is also accompanied by ANNEXES, i.e. sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

    These annexes consist of a total of   sheets.

3. This report contains indications relating to the following items:

    I   ☒ Basis of the opinion

    II   ☐ Priority

    III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability

    IV   ☐ Lack of unity of invention

    V   ☒ Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

    VI   ☐ Certain documents cited

    VII ☐ Certain defects in the international application

    VIII ☐ Certain observations on the international application

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Date of submission of the demand 09.10.2003	Date of completion of this report 01.07.2004
Name and mailing address of the international preliminary examining authority: 〰 European Patent Office D-80298 Munich Tel. +49 89 2399 - 0 Tx: 523656 epmu d Fax: +49 89 2399 - 4465	Authorized Officer Ramenzoni, S Telephone No. +49 89 2399-7146

I. Basis of the report

1. With regard to the **elements** of the international application *(Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17))*:

Description, Pages

1-21   as originally filed

Claims, Numbers

1-21   received on 09.06.2004 with letter of 07.06.2004

Drawings, Sheets

1/8-8/8   as originally filed

2. With regard to the **language**, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

   These elements were available or furnished to this Authority in the following language: , which is:

   ☐   the language of a translation furnished for the purposes of the international search (under Rule 23.1(b)).

   ☐   the language of publication of the international application (under Rule 48.3(b)).

   ☐   the language of a translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

   ☐   contained in the international application in written form.

   ☐   filed together with the international application in computer readable form.

   ☐   furnished subsequently to this Authority in written form.

   ☐   furnished subsequently to this Authority in computer readable form.

   ☐   The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.

   ☐   The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. The amendments have resulted in the cancellation of:

   ☐   the description,   pages:

   ☐   the claims,   Nos.:

   ☐   the drawings,   sheets:

5. ☐   This report has been established as if (some of) the amendments had not been made, since they have
been considered to go beyond the disclosure as filed (Rule 70.2(c)).

*(Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this
report.)*

6. Additional observations, if necessary:

**V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability;
citations and explanations supporting such statement**

1. Statement

Novelty (N)	Yes:	Claims	1-21
	No:	Claims	
Inventive step (IS)	Yes:	Claims	1-21
	No:	Claims	
Industrial applicability (IA)	Yes:	Claims	1-21
	No:	Claims	

2. Citations and explanations

   see separate sheet

Reference is made to the following document:

D1: WO 01/43390
D2: US-A-6047051
D4: Universal Mobile Telecommunications System (UMTS; Multimedia Broadcast/Multicast Service (MBMS); Stage 1 (3GPPP TS 22.146 version 5.2.0 Release 5)

A. Citations and explanations made in respect of paragraph V:

1. The present application relates to a method of managing point-to-multipoint services in a mobile communication network **(claim 1)**, a computer program arranged to carry out said method **(claim 19)** and an accounting entity implementing said method **(claim 20)**.

2. Document **D1** cited in the ISR discloses a service management access node providing a user profile, in which used services and occurred accounting information are administrated. According to this all users are billed individually and independently.
    Document **D2** cited in the ISR discloses a method for the implementation of charging in a telecommunications system. According to this method a contract message is sent to the customer terminal stating that the customer must make a contract on the selected service and the customer's acceptance of the contract is sent from the customer terminal to a dedicated billing server.
    Document **D4** cited in the ISR discloses just the possibility to collect charging information for the use of the multicast mode (e.g. to enable billing of providers).

3. The *technical problem* addressed by the present application is how to provide a point-to-multipoint service in a mobile communication network, which enables correct, flexible and secure accounting for users and service providers.

4. The present application solves the above-mentioned technical problem according to the subject-matter of claims 1, 19 and 20 by **setting** a user identifier in relation to a point-to-multipoint service and by **sending** this information to an accounting entity, which considers the **number of subscribers** that requested the service

and the **provider** of the point-to-multipoint service.

5. The solution of the present application, as defined by the subject-matter of independent claims 1, 19 and 20 is not taught or suggested by the available prior art references either alone or in combination. The prior art documents D1, D2 and D4 do neither show nor suggest *sending a user identifier in relation to a point-to-multipoint service to an accounting entity and considering* both *the number of subscribers requesting the service* and *the service provider.*

6. The requirements of Article 33 PCT are therefore considered to be fulfilled.

B. **Further remarks made in respect of the present application:**

1. The general statement in the description in lines 16 and 17 on page 1 (ie. "**...incorporated by reference...**") should have been deleted, since the application should be self-contained.